# University of Massachusetts

Student Affairs & Campus Life University of Massachusetts

**Police Department** 

May 4, 2025 Dylan Dennis Office of the Secretary of the Commonwealth Public Records Division One Ashburton Place, Room 1719 Boston, MA, 02108 Re: appeal acknowledgment- SPR25/0486

Good Afternoon,

Please find the department's response related to SPR25/0486.

Mr. Gerhardson questions if the provided responsive record is the record that he requested. His initial request was sent via email to me directly and is titled "seeking April 29 UMPD plan from Prince Lobel report" which is attached to this response.

He now states "UMPD found it necessary to change the details of their operation between April 29<sup>th</sup> and May 7<sup>th</sup>, just one week." The department maintains that the April 30<sup>th</sup> plan was the same one used on May 7<sup>th</sup>. Due to the rapidly unfolding events of May 7<sup>th</sup> and the tactical team leader, who authored the operations plan, responding to the scene from training, the department did not have time to create a new, and separate plan for May 7. The department does not have a responsive record dated for May 7<sup>th</sup>. It is unclear to the department where Prince Lobel received this information or why it was included in their report. The record provided to Mr. Gerhardson is the only one related to the events of both April 29 and May 7.

The redactions of certain portions of the responsive record are consistent with the departments interpretation of exemption (n). The department maintains that the redactions limit the opportunity to set precedents, and to protect the spirit and evolving landscape of exemption (n). The titles of redacted sections remain to provide context and transparency to the redacted sections.

The department communicates the following responses that provide the required factual heft to support its redactions of certain information, and the review and release of additional information. Responses are specific to Mr. Gerhardson's objections.

Page 5- Intelligence gathering processes are unique to every situation that we prepare for. Those processes need to be preserved under (n) because disclosure of intelligence gathering processes are by definition "threat or vulnerability assessments", Specific to this event, and consistent with other similar events, UMPD uses a variety of sources to gather information about the event to determine the risk assessment to the community, and provide for proper planning to support the freedom of speech/expression, while assessing the possibility of counter protest/action. Publications regarding national best practices for responding to public order events advise that departments should utilize publicly available social media to conduct threat assessments and to develop an operations plan. Upon review, the department is releasing the previously redacted information.

Page 6- Uniforms and Equipment- Redactions in this section were made because those records are covered under (n) as "any other records relating to the security or safety of persons..." and "in the reasonable judgment of the record custodian, subject to review by the supervisor of public records under subsection (c) of section 10 of chapter 66, is likely to jeopardize public safety..." Specifically related to this section, the disclosure of uniforms and equipment information jeopardizes public safety and responder safety as it contains protective measures available to police to ensure their personal safety and the safety of the public. Upon review, the department is releasing certain previously redacted information. It intends to withhold one section that contains information specific to equipment designed for police response to crowd situations.

Page 7-Communication- Upon review, the department is releasing the previously redacted information. The department intends to withhold the phone contact numbers, which were previously redacted, under exemption (o).

Page 9- The primary receiving hospital information is redacted because disclosure of this information could be used by persons to create diversions that would interrupt the expedited transportation of injured persons to the appropriate medical facility.

Pages 10-13- Tactical Plan and pages 15-16 Assignments/Posts. This is the essence of the intent and spirit of exemption (n). The department uses a planning process for events for which it has a jurisdictional responsibility to provide public safety services. Mr. Gerhardson states "that disclosure is exceedingly unlikely to jeopardize public safety because the records in question relate to specific circumstances from almost a year ago." The department disagrees and asserts that the UMPD takes seriously its obligation to provide safety, security, and law enforcement for the whole community. We regularly plan for events using the planning process in question. These events range from celebratory in nature such as a commencement event to events that may be violent in nature, turn into violations of law, or pose a risk to public safety. Each event can have unique circumstances, or contributing factors that can influence the event, and impact on public safety. Events that are planned in advance provide the department an opportunity to prepare its own plan, like this one, to collect available intelligence information about the event, provide adequate staffing resources, equipment, protective capacity, and public safety assessments. The tactical plan provides various response options to ensure that life safety, property safety, and the preservation of guaranteed rights are maintained. The position of the department is that the tactical plan is exactly that, a "plan" that relates to "security measures" "emergency preparedness", "threat or vulnerability assessments", "relating to the security or safety of persons", "located within the commonwealth", as defined in exemption (n). This remains the position of the department, however upon review, the department is releasing certain, previously redacted information.

The department's planning process in the operations plan in question is used regularly to plan for similar events. In fact, we are in a continual assessment of these events as protests and rallies related to national and international issues remain a weekly occurrence at the University of Massachusetts. Public disclosure of the foundation of our planning process allows for this information to be available to persons with malicious intent, or competing ideologies, who could use it to usurp the very safety strategies we put in place to maintain the safety of our community.

For example, it would be unreasonable to expect the tactical plan for the Boston Marathon to be publicly disclosed, in its entirety. The operations plan for a New Years Eve "First Night" event in the city of Northampton would likely be heavily redacted to assure that the safety and security strategies identified within that plan are not open to the public. Specifically, the department created a similar operations plan for a LGBTQ rally where it had intelligence that the Westboro Baptist Church, a nationally known hate

group, intended to attend and provide a counter protest. The operations/tactical plan provided for a designated location for the group to express their views. That information was leaked to the local media, and it created a situation where a violent group of protestors arrived at that location attempting to interrupt the Church. UMPD had established plans of response that provided protection for both groups, but the disclosure jeopardized public safety.

The department understands that exemption (n) was established after the terrorist attacks of September 11, 2001, and is narrowly written based on those events. The department believes that the intent of the exemption applies more broadly now given the ever-changing landscape of "terror" events taking place in this country and internationally. It is critical that law enforcement agencies have the ability to protect certain information within their planning and response plans that preserve the safety strategies available to ensure public safety. Exemption (n) is intended to secure the safety of persons and public places by restricting access to records that may have been previously open to public inspection. The nature of the exemption requires a records custodian to make some value judgment regarding the requester in order to decide whether to release the information sought.

The department believes that it has met the requirements of this exemption, and the department respectfully requests that the SPR uphold the redacted responses which are consistent with the specific language and intent of exemption (n).

Thank you.

Ian Cyr

Deputy Chief of Police/RAO

University of Massachusetts Police Department

## UNIVERSITY OF MASSACHUSETTS/AMHERST POLICE DEPARTMENT

## OPERATIONAL PLAN Plan#24-03

## **Protest Encampment**

**Event Date: 4/30/2024** 

Plan prepared by Lt B Henault ID#111, UMPD



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#### **BACKGROUND AND EVENT OVERVIEW**

At UMass-Amherst and nationwide, recent protests on college campuses have focused on the ongoing Israeli military operation in Gaza as well as the University's relationship with companies like Raytheon, a company that manufactures products utilized by the US military and often supplied to allies such as Israel. The two primary protest groups have been UMass Students for Justice in Palestine (SJP) and the UMass Dissenters. These groups have called on the University to divest itself of relationships with military suppliers and have specifically called on UMass-Amherst Chancellor Javier Reyes to publicly "condemn Israel's genocide of the Palestinians."

In October of 2023 these groups attempted an occupation of the Whitmore Administration Building, which resulted in 57 arrests after the building had closed and the protesters intentionally remained inside to trespass. The groups have held other, lower-key protests since then. On April 26, 2024 these groups held a protest at the Mullins Center during an inauguration ceremony for Chancellor Reyes; this resulted in over 80 individuals being removed from the interior and a crowd of approximately 150 people loudly protesting on the exterior.

On April 29 2024 a series of tents began to be set up on the west side of the campus pond creating an encampment similar to those seen at numerous campuses nationwide. Nationally, these encampments have resulted in hundreds of arrests, and the Gaza protest movement gains more media attention with each day.

On April 29 the University administration issued two warnings to the protest group, notifying them that they were in violation of the University Land Use Policy and that the tents would have to removed. These warnings did not result in compliance and in fact, the number of tents at the encampment grew as the day went on.

<sup>&</sup>lt;sup>1</sup> Lee, Grace; Capriotti, Olivia; Lakkavaram, Mahidhar Sai. "Students for Justice in Palestine and UMass Dissenters hold second protest, discuss demands with Chancellor Reyes" Dailycollegian.com, October 31, 2023, https://dailycollegian.com/2023/10/students-for-justice-in-palestine-and-umass-dissenters-hold-second-protest-discuss-demands-with-chancellor-reyes/ Accessed 4/17/2024.

University officials have decided that the tents will need to be removed on April 30 due to the policy violation. This plan will detail UMPD's involvement with that operation.

#### **OPERATIONAL OBJECTIVES**

1. Identify and remove/arrest individuals who insist on maintaining a tent at the encampment in violation of University policy and in defiance of clear direction to remove them.

University legal advisors have opined that any individual who maintains a tent within the encampment area is trespassing on University land by being in violation of University policy.

Care needs to be given to protecting the free speech rights of all citizens. IT IS IMPORTANT TO NOTE that arrest is not a desired outcome during this operational period but may become necessary depending on the behavior of the involved individuals.

2. Ensure the safety of campus staff tasked with removing any abandoned tents at the site.

It has been stated to the group, and will be re-stated on April 30, that they are free to remain in the area as long as they disassemble and remove their tents. Any tents that are not occupied or claimed by individuals at the site will be removed by Physical Plant staff as an abandoned property cleanup. UMPD officers will protect these staff members and take enforcement action on any criminal activity as needed.

3. Protect the rights of the community to peaceably assemble, petition grievances, and speak freely.

It is not the intent of this operation to break up or deter any lawful assembly that does not involve placing structures on University land in defiance of campus policy. If the tents are removed by the individuals, or allowed to be removed peaceably by University staff, then the protesters will be allowed to continue operating within the space for the time being.

## **INTELLIGENCE GATHERING**

## 1. Social Media



## 2. Outreach to known protest groups

a) University Demonstration Response Team staff have engaged with the group twice and have informed them that the tents must be removed. That outreach will continue on the morning of April 30.

#### UNIFORMS AND EQUIPMENT

#### 1. Uniform of the Day

- a. UMPD Patrol and Dispatch Staff will wear standard duty uniforms.
- b. UMPD TAC officers will wear the designated TAC blue working uniform.

#### 2. Specialized Equipment

- b. Transport vehicles will be available for all squads. Each assigned squad leader will be responsible for the use of, and security for, their assigned vehicle. See "TRANSPORTATION" for detailed information.
- c. Traffic Management traffic may require the use of UMPD barricades. Shift will be the primary response for road closures/traffic re-directs.
- d. Booking materials will be stocked and maintained by the supervisors who are overseeing shift operations during the operational period.
- e. All officers regardless of assignment will have their protective helmets available if needed.

#### **COMMUNICATION**

## 1. Radio Frequencies

Group	Channel	Comms Staff
Shift	Main Digital	Shift Dispatchers
Operation Channel	Main Digital	Shift Dispatchers

#### 2. Communication Assignments

a. All traffic during the operational period will be called to UMPD Dispatch, directed "to Station" on Main Digital.

## 3. Communication Responsibilities

- a. Radio traffic should be kept to a minimum.
- b. Shift Dispatchers will be responsible for documenting relevant information into the CAD call assigned to the event, as well as generating any report #s that result.

## 4. Phone Contact List – Police Operations

Name	Op Assignment	Number
UMPD Dispatch		413.545.2121
Chief Tyrone Parham	Incident Commander	
Deputy Chief Ian Cyr	EOC Representative	
Deputy Chief Damian Dewolf	Deputy I/C	
Lieutenant Tom O'Donnell	Shift Commander	
Lieutenant David White	Video Team Commander	
Lieutenant Brian Henault	TAC Commander	
Lieutenant Derek Napoli	Perimeter Team Commander	
Sergeant Allen Silva	Prisoner Transport Commander	

## **TRANSPORTATION**

All units TBA

## **STAGING AREAS**

## MEDICAL PLAN

PRIMARY RESPONSE:

Amherst Fire

**SECONDARY RESPONSE:** 

Mutual aid as requested by AFD

TAC MEDICS SCHEDULED:

None scheduled by UMPD for this operational period

PRIMARY RECEIVING HOSPITAL:

## TACTICAL PLAN





#### **BOOKING/PRISONER TRANSPORT**



Booking will be well staffed but communication needs to occur between the booking staff and the field operation if the booking area becomes overwhelmed.

## **EMERGENCY OPERATIONS CENTER**

A limited EOC will be running for this event. Operations will be governed by the Incident Action Plan prepared by University Emergency Management staff.

The EOC will be informed of operational occurrences through radio transmissions received by the UMPD EOC representative.

#### PERIMETER OPERATION



#### **DEMOBILIZATION**

- All officers will be accounted for by their assigned Supervisors. Any injuries will be reported to the TAC Commander and the Deputy I/C, and documented by the appropriate Supervisor.
- All related protective gear and other equipment will be secured.
- Any equipment failures/damage will be reported to the TAC Commander and documented by the appropriate supervisor.
- Any officers with arrest reports or other paperwork will check in with the Shift Commander. ALL paperwork is expected to be completed with the exception of full narratives; all face sheets, complaints, and synopsis WILL be completed, **AND THE REPORT WILL BE REVIEWED BY A SUPERVISOR**, prior to the officer leaving.
- All OT slips will be marked as "Pond Tent Event" to ensure proper payment.



## University of Massachusetts Police Amherst, Massachusetts

## **Dispersal Order**

## **First Order**

I am \_\_\_\_\_\_\_of the University of Massachusetts Police Department. All persons here are in violation of Chapter 269, Section 1 of the Massachusetts General Laws, which prohibits unlawful assembly. In the name of the Commonwealth of Massachusetts, you are hereby ordered to immediately and peacefully disperse.

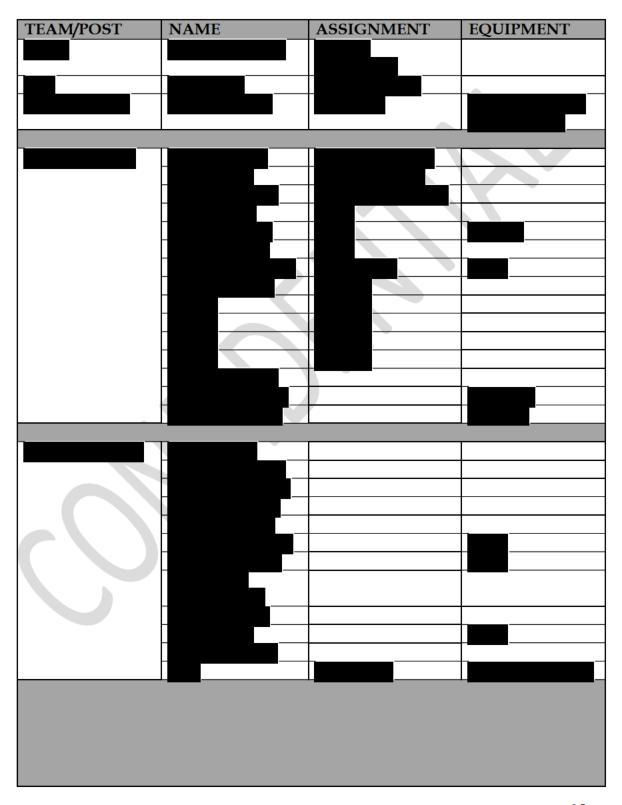
If you do not immediately and peaceably disperse, you will be subject to arrest and detention. If you fail to submit to arrest, reasonable and necessary force will be used.

## Second Order

In the name of the Commonwealth of Massachusetts, you are hereby ordered to immediately and peacefully disperse. If you do not immediately and peaceably disperse, you will be subject to arrest and detention. If you fail to submit to arrest, reasonable and necessary force will be used including chemical agents.

## **ASSIGNMENTS**

Operational period:



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